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Friday, January 11, 2008

VIA FACSIMILE / (212) 805-0426

Hon. Laura T. Swain
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 755
New York, NY 10007

RECEIVED

Re: Serafin Rios and Patrocinio Rios v. Neighborhood Construction Corp.
and Dilber Kukic, U.S.D.C., S.D.N.Y., Index No. 07-CV-8701 (LTS)

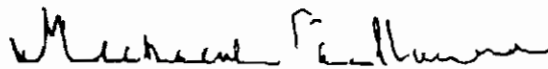
Dear Judge Swain:

I represent the plaintiffs in the above action for unpaid wages and other relief under the FLSA, the New York Labor Law, and regulations. I am writing (as instructed by the court deputy) to request an adjournment of the preliminary conference scheduled for January 18, 2008 because the defendants have not answered the complaint.


For the Court's information, the Complaint (filed on October 9, 2007) was served on the corporate defendant (Neighborhood Construction Corp.) on November 27, 2007, and on the individual defendant (Dilber Kukic) on November 9, 2007. We have not been contacted by the defendants, or by counsel on their behalf, and we intend to move for judgment by default.

The conference is adjourned to
March 18, 2008, at 4:15 pm
Counsel's attention is directed to the
provisions of the undersigned's
Individual Practices Rules regarding
default judgment application procedures.

Very truly yours,


Michael Faillace

SO ORDERED.


LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE